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Journal



Charting the Progress of Heritage

Celebrating the 40th anniversary of the *Ontario Heritage Act*





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Ontario Heritage Act turns 40

Heritage conservation planning in Ontario



By Michael Seaman, contributing editor

Heritage Conservation encompasses the identification, protection and promotion of things that are important to our culture and history. It is part of the general Conservation movement, which emerged out of the recognition that society can no longer afford to waste resources of any type, including the built environment. In 2015, we commemorate the 40th anniversary of landmark event in the history heritage conservation in Ontario, the enactment of the *Ontario Heritage Act*, on March 5, 1975. This legislation allowed municipalities to designate individual properties and districts in the Province of Ontario as being of “historical or architectural significance”, or as we describe them today as being of “cultural heritage value or interest.” Since 1975 most municipalities have adopted heritage policies in their official plans and have actively pursued the conservation of heritage resources as an essential part of good urban planning.

At 40 years young, it’s ironic that we often think of heritage conservation as a relative newcomer to the field of urban and regional planning in Canada. Awareness and interest in preserving aspects of Conservation history goes back much further. One of the earliest large-scale attempts to preserve valued heritage resources in Canada was Governor General Lord Dufferin’s intervention in 1875 to save and enhance the old fortification walls of Quebec City instead of demolishing them as local business interests wished. Who today could not admire his foresight—the ultimate long-range planning of preserving a heritage resource? In Ontario a landmark event in the heritage conservation field was the founding of the Ontario Historical Society in 1888, which brought together people across the province who were interested in preserving aspects of Ontario’s History. Urban planning itself grew out of the conservation movement exactly 100 years ago.

More specifically it evolved out of the federal Commission on Conservation 1909-1921, established to provide Canadian governments with the most up-to-date scientific advice on the conservation of human and natural resources. The medical advisor to the Commission on Conservation was Dr. Charles Alfred Hodgetts, physician, public health officer, teacher, administrator (1859-1952). An advocate of better public health and disease prevention, Hodgetts in particular perceived improved housing and town planning to be important in achieving these aims. He organized an international city planning conference in Toronto in 1914 to promote these aims, and in that same year he secured the appointment of Thomas Adams, one of the most eminent British planners of the day, as the commission’s town planning adviser. The rest is, as they say, history and the modern profession of urban and regional planning was born in this country.



Michael Seaman

Emerging from the wave of nationalistic fervour in the Centennial Year of 1967, the enactment of the *Ontario Heritage Act* was the most pivotal moment in heritage conservation in Ontario at that time. Heritage was now recognized, legislated and protected as an area of provincial interest. Municipalities began including heritage conservation policies in their official plans and a more thoughtful consideration of heritage assets took place when new development proposals were considered. The *Ontario Heritage*

Above: Hillary House in Aurora (Image courtesy Michael Seaman)

IMAGE COURTESY OF MICHAEL SEAMAN



Morrow Building, Peterborough

Act has changed and become stronger over the years, and its scope has expanded well beyond just architecture. Today, our heritage resources are considered to be some of our most important non-renewable resources. They have assumed this place in contemporary society because it addresses certain desires, notably for tangible connections to our historical roots and a sense of place for those who despair the anyplace character of many communities.

As we commemorate the 40th anniversary of the *Ontario Heritage Act* on March 5—and also Heritage Day (February 16), Heritage Week (February 16-22) and Black Heritage Month (February)—and as we look forward to the 150th Anniversary of Confederation in 2017, it seems appropriate to launch the

first ever Heritage Edition of the *Ontario Planning Journal*.

An impressive field of authors from across the province and across the heritage planning discipline has been brought together for this special edition. A real treat is the article about the Railway Heritage of Northern Ontario from Canada's foremost author on railway and ghost town heritage, who just happens to also be an urban planner, Ron Brown. I hope you will find this edition to be as enjoyable a read as I have, and I'm sure that for many in the planning profession it will also be an important reference guide for contemporary approaches to heritage conservation planning.

Michael Seaman, MCIP, RPP, is director of planning for the Town of Grimsby. Previously, he was a manager of heritage planning with the Town of Oakville, and a senior heritage planner with the City of Markham and Town of Aurora. All three communities were winners of the Prince of Wales Prize for Municipal Heritage Leadership. Michael is contributing editor for heritage in the Ontario Planning Journal and from 2010 to 2012 served as Ontario Governor on the board of the Heritage Canada Foundation. He can be reached at mseaman@grimsby.ca.

Endnotes

- Historica Foundation – Canadian Encyclopedia – Heritage Conservation
- Historica Foundation – Canadian Encyclopedia - Charles Alfred Hodgetts
- Historica Foundation – Canadian Encyclopedia – Urban and Regional Planning
- Historica Foundation – Canadian Encyclopedia – Thomas Adams
- Ontario Planning Journal, Volume 26 #5, Michael Seaman

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Planning Northern Ontario

By Ron Brown

Among northern Ontario's first town planners were the railways. First Nation communities were nomadic, fur trading settlements remained small and isolated, while mining and sawmill camps were single purpose and usually company owned or licensed. But it was the railways that built a continuous transportation link across the north and laid out towns at regular intervals.

The first to cross the breadth of Northern Ontario was the CPR, establishing divisional points for its maintenance facilities, offices and yards at intervals of 150 km. Here they laid out a standard grid network of streets for housing and businesses. North Bay, Cartier, Chapleau, White River, Schreiber and Kenora were a few such communities. Soon afterward, in 1908, the railway building duo of William Mackenzie and Donald Mann was cobbling together a trans-Canada network of unused railway charters and underused lines. Known as the Canadian Northern Railway it crossed Northern Ontario from North Bay to Rainy River and created divisional towns at Capreol, Foleyet, Hornepayne, Jellicoe, Atikokan and Rainy River among others. And then, not satisfied with two rail lines across the north, Prime Minister Wilfred Laurier decided in 1912 that his legacy would be yet a third cross country rail line and that was the National Transcontinental Railway with divisional points that included Cochrane, Hearst, Armstrong, Redditt and Sioux Lookout.



Ron Brown

By replacing steam power with diesel, the railway required fewer divisional towns and removed coal chutes, water towers and station agents. The invasion of the auto age in Northern Ontario meant a new highway network, which ended the dominance of the railways. Tracks were removed and passenger service virtually eliminated. Much of that heritage sadly has been lost for good.

Happily however, many communities across the north have recognized the cultural and economic value of celebrating Northern Ontario's railway heritage and incorporated that into the planning process. Take Thunder Bay. There, on the waterfront in what was formerly Port Arthur, the stunning Canadian Northern Railway station with its twin pyramid peaks, towers, gables and stone friezes, is the focus of a waterfront revitalization scheme. Sioux Lookout has incorporated the restoration of its large tudoresque NTR station into a downtown revitalization project. North Bay has celebrated its rail roots by converting the two-storey stone CPR station into a museum and interpretation centre, and its Canadian Northern (later CNR) station into a municipal facility.

The restoration of the delightful stone station in Temagami, turning it into the town's main attraction, took the hard work of

a dedicated group of volunteers, although disappointingly, the municipality was less than fully supportive. A handful of former stations have gained new life as municipal offices (Rainy River), bus stations (Kapuskasung) and community facilities (Fort Frances). A 1980s program by the Ontario Ministry of Transportation encouraged the redevelopment of heritage stations into multi-modal transportation terminals such as at Gravenhurst and Nakina.

Along the Toronto to Cochrane route of the Ontario Northland Railway's fabled Northlander, several communities incorporated waiting rooms into their re-purposed stations. Huntsville's station was bought by the town and contains a small museum display, South River (the last first-generation station on the line) converted the building into a community museum, while the station at Matheson became a tourist centre. Regrettably, in a short-sighted attempt at parsimony, the Ontario government in 2012 cancelled the Northlander, reducing travel options for students, seniors and tourists, as well as limiting the diversification of the local communities through which it passed.

A small number of stations, however, still maintain their rail functions. The historic CPR stations in Sudbury and White River serve as termini for VIA Rail's remote service train, the Superior. White River has gone one step further and replaced its iconic and chilling thermometer, which once declared (erroneously) that that place was Canada's coldest ever, with a Disney image of Winnie the Pooh. For it was on the platform of that town's train station that Captain Harry Colbourne in 1914 purchased the bear cub (which he named Winnipeg after his home town) that went on to delight children at the London Zoo and inspired children's book writer A.A. Milne to create his beloved Winnie the Pooh books. Other in-use stations include those in Schreiber, Thunder Bay (the Fort William CPR station) Kenora, Cartier and Cochrane. The latter is the only one that still offers passenger service. Here, the Polar Bear Express to Moosonee has been instrumental in bolstering the tourism economy of this railway town where the station now boasts an inn on its second floor. Although the world renowned Agawa Canyon tour train has similarly benefitted Sault Ste Marie, in contrast, the local passenger service provided by the CNR to remote cottages and lodges along the former ACR route between Sault Ste Marie and Hearst is now scheduled for elimination. The loss of a federal subsidy to the service means a loss to local tourism and of property access. Despite winning a tourism award, the short-lived Timber Train which offered a scenic tour between Mattawa and Temiscaming in Quebec miscalculated the market potential and died after a few years.

But the federal government has not been all bad news for Ontario's railway heritage. Towns wanting to celebrate their railway heritage by saving and re-purposing their redundant stations were given a boost in 1988 when the federal

parliament unanimously passed special legislation (known as the *Heritage Railway Station Protection Act*) to prohibit federally-chartered railways from demolishing or even altering stations designated under the act. More than 350 came under the act nation-wide, including a dozen in northern Ontario.

But that doesn't always save them. The large CNR divisional station in Hornepayne, still a busy railway community, although designated, sits crumbling with no one in this small town able or willing to rescue it. The Searchmont ACR station, also designated, an unusual station on the former Algoma Central Railway line north of Sault Ste Marie, sits vacant and deteriorating. A local initiative to save it from demolition by neglect is under way.

Aside from stations, displays of railway equipment often play a role in a town's tourism economy. The Northern Ontario Railroad Museum and Heritage Centre in Capreol with its display of much railway equipment (including the famous steam locomotive known as Bullet Nose Betty) gives the still active railway town the distinction of having northern Ontario's pre-eminent railway museum. The Ron Morel Museum, a static train display in Kapuskasing, sits beside the elegant brick station which is now a bus depot. Other displays draw tourists to Thunder Bay, Cochrane and Rainy River.

Beyond the rail operations themselves, Northern Ontario's railway heritage can also include railway hotels. The Prince Arthur Hotel in Thunder Bay came about after discussions between the mayor and officials of the CNoR. It is situated within walking distance of the former CNoR station and the CPR station (since demolished). Also there to greet new arrivals was the Thunder Bay pagoda. This unusual building was designed by Russell Halton and built by the Port Arthur Port Authority in 1909. It incorporates a variety of cultural influences including a chatri roof, Tuscan columns, French doors and a Scandinavian dragon's head. Despite calls for its removal, the city has restored it and in 1988 it became a National Historic Site. In North Bay the former head office of the Ontario Northland Railway is a stunning stone building, built in 1908, and an important local landmark.

Railways brought with them a plethora of other features. While the most evident were the stations which served the public, there were also water towers, coal chutes and

roundhouses that served the rail operations themselves. Roundhouses, once vital to a railway's operation, have largely vanished from the railway landscape. Oddly, two survivors are the "square" roundhouses still standing in Sault Ste Marie and Hornepayne (square because the turntables and maintenance stalls are situated inside a large square structure which protects the machinery from the bitterly cold winter temperatures). A small roundhouse in the busy rail yards in Chapleau remains

in use. None enjoys a heritage designation nor are they considered to be historic attractions, at least not by the railways or the municipalities.

Railway bridges were often considered engineering marvels in their time, yet today they receive little recognition. In fact planning policies often threatened them with replacement. The Little Pic River Bridge overlooking Lake Superior near Marathon is one of the CPR's most spectacular, while a pair of rare bascule bridges and a swing bridge in Thunder Bay, jointly used by autos and trains, confer upon that town the "railway bridge" capital of northern Ontario.

The decline and abandonment of rail lines have left a legacy of ghost towns as well. Places once dependent upon the railways for their lifeline sit largely vacant, places like Redwater, Goudreau, Biscotasing (once home to "Chief" Grey Owl), Nicholson, Lochalsh and Jackfish. An MNR report from the 1970s recommended that the ministry preserve the remains of Nicholson, then extensive, as a ghost town park similar to Val Jalbert in northern Quebec, but indifference by that ministry and a hunter's careless campfire eliminated that option.

The celebration of Northern Ontario's railway heritage has many facets and offers a variety of opportunities not just to celebrate this vital link to the past, but to enhance the economic opportunities of the very towns the railways themselves created.

*Ron Brown is travel writer is and a former member of OPPI. Since retiring as an Ontario government planner, he has authored more than 20 books, most of which feature heritage attractions in Ontario. His latest publication is *Rails Across Ontario, Exploring Ontario's Railway Heritage* (Dundurn Press), His website is www.ronbrown.ca.*



Winnie the Pooh has rail roots in White River and is the new icon for this historic railway town



The *Northlander* slows at the restored Temagami station. This iconic train service no longer exists



The stunning CNoR station in Thunder Bay now forms part of waterfront revitalization



Evolving provincial context

By David Cuming

It is nearly 40 years ago that the Conservative government of then Premier William Davis introduced a comprehensive and progressive legislative agenda that witnessed the introduction of the *Niagara Escarpment Planning and Development Act*, the *Environmental Assessment Act* and the *Ontario Heritage Act*. This triumvirate of legislation resulted in a package of impressively forward-looking planning initiatives and a different way of thinking about how the environment may be planned and designed. Environment was no longer an ‘out there’ phenomenon, that is, something beyond the urban experience.

40 years in brief

Accompanying the 1970’s package of initiatives a new ministry was introduced with a mandate to conserve Ontario’s heritage: the Ministry of Culture and Recreation, which included a cast of cultural heritage civil servants decanted from the Ministry of Natural Resources provincial parks group. This group of archaeologists and cultural historians set about to direct a provincial program of heritage conservation across Ontario. To complement the new *Environmental Assessment Act* staff established, for the first time, a comprehensive guide to objectively identifying and evaluating the cultural heritage component of the environment: cultural landscapes—now called cultural heritage landscapes—and cultural features—usually referred to as archaeology and built heritage. These *Guidelines on the Man-Made Heritage Component of Environmental Assessments*¹ also provided a description of those distinctive attributes that were to be identified as part of the environmental assessment process (an embryonic form of those criteria now found in *Ontario Regulation 9/06* that assist evaluations under Part IV of the *Ontario Heritage Act*). Attributes were described for archaeology, built features and cultural landscapes.



David Cuming

Accompanying this typology of cultural heritage and its associated attributes, the guidelines also identified the kinds of effects that could reasonably result from a potential undertaking or development project. These effects may be long or short in duration, specific or widespread in geographical extent, high or low in physical impact and reversible or irreversible. The guidelines also identified logical and easy to follow phases of development: pre-construction, construction, operation and maintenance, reclamation and abandonment. For each phase the ministry advised that beneficial or adverse effects could and should be identified for both the proposed project and alternatives. Beneficial effects included protection, retention, restoration, repair, maintenance and enhancement. Adverse impacts included destruction or unsympathetic alteration, isolation from a feature’s surroundings or the introduction of physical, visual, audible or

atmospheric elements that were out of keeping with a cultural property and its setting.

After applying them to hundreds of projects and undertakings the guidelines, in one form or another, found their way into numerous municipal policies and procedures. This was due in part to the introduction of the new *Planning Act* in 1983. It advanced two innovative initiatives: the notion of provincial interests in planning matters and the accompanying *Provincial Policy Statement*, intended to amplify the provincial interest. The provincial bureaucracy’s reluctance and inevitable inertia to act on the latter initiative hindered much needed assistance to municipal governments and planners still grappling with this antiquarian planning sideline.

Following the success of the cultural heritage environmental assessment guidelines the newly reconstituted Ontario Ministry of Citizenship and Culture embarked on the preparation of a draft provincial heritage policy statement. Continued hesitation by the internal bureaucratic Provincial Land Use Committee to move forward on the production of statements resulted in the ministry publishing its own planning advice as *Advisory Notes on*



IMAGE COURTESY OF MICHAEL SEAMAN

Point Abino Lighthouse, Fort Erie

Heritage Conservation and Municipal Planning.² The notes expressed the ministry's interest in heritage protection and specifically the interest in, then *subsection 2(b)* (now *subsection 2(d)*) of the *Planning Act*, "the protection of features of significant natural, architectural, historical or archaeological interest." The ministry reiterated its interest in the identification of adverse and beneficial effects and adoption of measures to mitigate harmful effects as part of planning processes and approvals.

The adoption of heritage impact assessments (sometimes referred to as heritage impact statements or heritage impact analyses) as a component of environmental assessment, soon found favour as part of heritage conservation and development initiatives in municipal planning processes. Planners quickly saw the benefit of HIAs and incorporated official plan policies that transferred some of the responsibility for protecting cultural heritage in development matters from the municipality to prospective land developers and those seeking municipal planning approvals. The development of the *Provincial Policy Statements* from 1995 to 2014 also recognized an evolving role for determining impacts of development and site alteration to cultural heritage resources.

Current context

Provincial Policy Statement 2014 maintained and refined two key policy areas from the *PPS 2005*. Policy 6.2.1 still advanced the simply stated notion that significant built heritage features and significant cultural heritage landscapes shall be conserved. Both terms, "significant" and "conserved" are defined in the *PPS*. The latter definition includes a provision that the action of conservation could be achieved "by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or a heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments." Unfortunately "heritage impact assessment" is not defined or described. The contents of an HIA (i.e., what it should comprise and how it should be conducted) still remain as described by the former Ontario Ministry of Culture in its 2006 umbrella publication, *Ontario Heritage Tool Kit*.³

Heritage Impact Statements and Conservation Plans provides general guidance on how to undertake a heritage impact assessment. In some cases municipalities have adopted the ministry's guidance while in others they have prepared their own guidelines and requirements for application within their jurisdiction. Several municipalities went above and beyond what might be typical expectations in an HIA requiring detailed levels of built heritage recording, lengthy land settlement histories, application of *Ontario Heritage Act* designation criteria to evaluate property and purported mandatory requirements for proponents to recommend designation under the act if a property satisfied the heritage criteria under *Ontario Regulation 9/06*.

Aside from addressing significant cultural heritage resources generally in *policy 2.6.1* the *PPS 2005* specifically singles out in *policy 2.6.3* a different process and special considerations for formally designated properties under the *Ontario Heritage Act* known as "protected heritage properties." It states: "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

The policy provision of 2.6.3 in *PPS 2014* is fundamentally changed from *PPS 2005*. The 2014 policy provision is a limiting and prohibiting policy as described in Part III of the *PPS*.

HERITAGE IMPACT ASSESSMENTS must be part of independent and objective advice provided as part of the development process not as an afterthought to critical decisions already made. They are a cost to prospective developers and are best used where there are complex issues to be addressed and where a transparent process is required to show where assumptions and any trade-offs have been made. In preparing an HIA—

- Ensure the requisite expertise and experience in HIAs is available through ongoing professional development
- Encourage a clear understanding of legislation and the policy regime among practitioners
- Promote consistent guidance from municipalities and equally consistent HIA reporting from consultants
- Identify comprehensively the variety of impacts expected to accrue to cultural heritage in the course of development activity
- Adopt municipal policy and guideline requirements that reasonably relate to the scope of HIAs and are not a great catch-all to capture every bit of information

Through the appropriate use of HIAs we can contribute to better and informed decision making about cultural heritage with a view to protecting valued resources for the enjoyment of others in the decades to come.

The application and implementation of *policy 2.6.3* essentially provides for the assessment (i.e., evaluation and demonstration) of potential effects to *Ontario Heritage Act* designated heritage property that result or are anticipated to result from the development of adjacent lands. The definition of "conserved" includes activities such as "identification, protection, management and use." The term "protection" is not defined. Common usage indicates that "protect" and related actions of "protecting" are inherently directed towards notions of keeping safe from harm or injury. Harm typically results from the unmitigated adverse effects or impacts accruing from activity, in this case, the effects of development on adjacent property.

Although unstated in the *PPS 2014* these requirements are best met in the form of a heritage impact assessment report containing a traceable and transparent process of evaluation.

Some may think there remains too much oversight and control and others not enough in respective of cultural heritage provisions of the *Planning Act*, *Provincial Policy Statement* and various Ontario provincial plans. It may be that the much lauded balanced approach that planning seeks to achieve has been reached, at least until the next round of legislative, plan or *PPS* changes.

If there are challenges in the future that have been left unexamined in this short article they relate to the actual preparation of heritage impact assessments.

David J. Cuming, MCIP, RPP, MRTPI, is a Hamilton-based planning consultant.

Footnotes

¹ Ontario Ministry of Culture and Recreation *Guidelines on the Man-Made Heritage Component of Environmental Assessments*. Weiler, John. 1981

² Ontario Ministry of Citizenship and Culture. *Advisory Notes on Heritage Conservation and Municipal Planning*. Cuming, David. 1983

³ Ontario Ministry of Culture, *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeological Policies of the Ontario Provincial Policy Statement, 2005. Ontario Heritage Tool Kit, 2006.*

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No longer an option

By Robert Shipley

It is probably unwise for any non-lawyer to venture an opinion on the law but I am going to go one step further and try to speak of the law and common sense in the same breath. In short, my assertion is that cultural heritage planning is no longer a take-it-or-leave-it matter for municipalities in this province. It is an imperative.

This may seem like an odd statement since we have had a *Heritage Act* in Ontario since 1975. We have a heritage act partly because Canada is a signatory to the UNESCO World Heritage Convention which binds nations to “the duty of ensuring the identification, protection, conservation, presentation and transmission to future generations of the cultural and natural heritage ... situated on its territory.” Canada promised “it will do all it can to this end”¹ and because in this country land use regulation falls to provinces that duty (a word that should be inspiring) became Ontario’s.

However, from the get-go *The Ontario Heritage Act* was a piece of so-called enabling legislation, a slippery legalism that meant that if local government wanted to do heritage planning, here were some tools. Furthermore, while the province retained some powers and oversight the primary responsibility for cultural heritage was downloaded to municipalities.

Heritage and the cultural environment are given lip service in various federal and provincial documents including the *Charter of Rights*, the Ontario Professional Planners Institute’s Standards of Practice and most official plans. Recently the fashionable smart cities movement has waxed more eloquent in recognition of the potential importance of the built

environment and have echoed what Jane Jacobs wrote decades ago: “new ideas required old buildings.” On the natural heritage side of things Canada has been a leader with our system of publically owned national parks.

Unlike almost any other legislation, however, the law for identifying and protecting cultural heritage has not only been widely ignored but has been flagrantly violated since its inception. It would be hard to imagine a province passing legislation “enabling” municipalities to set speed limits, health standards on restaurants or pollution controls on dumping chemicals and then letting them fail to enforce any of those measures if they didn’t want to bother. How does this come about? The great flaw in the legislation designed to identify and protect the built culture is that municipalities are often both poacher and game-keeper, cop and robber, victim and bully. Municipalities are almost always the land use regulator and sometimes the actual owner of properties that they ought to be identifying and protecting for their heritage significance.

Stories of how those dilemmas have ended in tears are legion. In London in the 1990s the city rightfully enacted heritage designation for a beautiful block of 19th century buildings with great potential utility. It then removed the designation and allowed an out-of-town developer to destroy the block on promise of new development. Soon, I’m told, the developer skipped town and the city looked for 15 years at a bombed out hole before finally developing the site with public funds. A once thriving designated district in St. Catharines is now in shambles after a series of poor decisions. Brantford recently demolished an entire street. Councils in Kingston, Toronto and Stratford all contemplated the destruction of their city halls, three of the most stunning buildings in North America, let alone Canada. No one today can comprehend



Robert Shipley



Ontario Heritage Planners Network on the front line at Nelles Manor, Grimsby

how that could have happened and fortunately, although not without desperate fights, all three survived. Kitchener and Waterloo succeeded in destroying their town halls and so nostalgic is Kitchener that it features on its stationary a clock tower, the last remaining trinket of its lost civic building.

None of these actual or contemplated acts of destruction were meaningfully opposed by the province. If a city in Ontario failed to enforce speed limits, to inspect food service outlets and allowed toxic pollution, the responsible ministry would be all over them in a flash, levelling fines, closing premises and prosecuting offenders. Where, one asks, is the provincial Ministry of Culture when municipalities fail in their responsibility to identify and protect the common cultural heritage environment?

However, I believe that with the advent of the *Provincial Policy Statement* the legislative landscape has changed. The *Ontario Heritage Act* may, in its strange way be voluntary, but *section 2.6.1* of the *PPS 2014* (originally 2.5.1 of the *PPS 1996*) is 100 per cent clear. It states that: “significant heritage resources and cultural heritage landscapes shall be conserved.” Slowly, since it first appeared in 1996, this provision has taken hold and progressive planning directors and councils have begun to consider cultural heritage planning more in line with other advanced democracies. Two things are important now: one is that *section 2.6.1* has been confirmed in the currently revised *PPS*, and two, compliance with the *PPS* is compulsory for any instruments issued under the *Planning Act*, arguably a stronger statute in the hierarchy of legislation. It seems that “shall be conserved”² is here to stay. The *Heritage Act* now enables municipalities to do what they are required to do.

The sticking point remains the poacher/gamekeeper factor. If a

municipality recognizes a property, area or landscape as having heritage significance, property owners can appeal the decision to The Conservation Review Board and the Ontario Municipal Board. However, when a council either fails to designate a significant resource or makes a decision that is potentially counter to good heritage planning there is no appeal.

We might ask where the case law is on the question of municipal responsibility to identify and protect. As usual the OMB is all over the map, but at the time of going to press, the board had released another decision referring to municipal “heritage duties under the *OHA* and *PPS*.”³ One important case which went not to the board but to the court stands out. In the matter of *Tremblay vs The Town of Lakeshore* [2003]⁴ the Divisional Court heard from members of a Catholic parish who supported designation of their church in order to preserve it from destruction by their diocese. The town refused to designate without consent of the property owner, the diocese. The court ruled that while designating a “property under the *Ontario Heritage Act* is discretionary” by “requiring the consent of the owner as a precondition to designation, the town imposed a condition contrary to the intent of the act.” The court called the town’s actions “unreasonable” and said that “discretion must be exercised within the boundaries imposed in the statute, the principles of the rule of law... the fundamental values of the Canadian society, and the principles of the Charter.” That was before the 2005 and 2014 *Provincial Policy Statement* reiterating the requirement to conserve significant heritage resources. One can hope a similar court challenge today would elicit even clearer direction.

Heritage planning is the systematic identification of cultural

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resources and the setting out of clear direction on the management of inevitable change in order to conserve the heritage value of individual sites, districts and landscapes. The principal argument against heritage planning seems to be that regulation is bad for business as it restricts or complicates what owners and investors can do. Countering that argument, study after study has shown that, as well as having positive cultural benefits such as giving uniqueness and identity to our communities, heritage development is in fact good economics.⁵ It is not heritage planning that is the problem but rather bad planning that fails to be consistent, policy based and predictable. The lesson from other countries and from our own experience is that thoughtful cultural planning pays social and financial dividends. Outlining the specific approaches, such as tax incremental financing, will have to wait for a different article but the heritage planning tool box is impressive.

It may seem that I have been criticizing developers and not giving due credits to planning staffs and municipal councils. In fact there are many developers who are doing great work in the re-purposing of older buildings and there are plenty of forward thinking and creative municipalities in Ontario. In order to make their work more effective, however, it is time, high time, to accept the law of the land and bring heritage planning into the mainstream. It seriously undermines the faith of the citizenry in the rule of law to see their own civic officials blatantly ignore and circumvent the very regulations they are entrusted to uphold.

I am not suggesting for a minute that every existing building or neighbourhood should remain as is. Change will occur. What I am suggesting is the law of "shall be conserved" in Ontario tells us that when the destruction of our existing built culture is proposed the onus of proving the necessity of that destruction should be on the

destroyer, and conservers should not have to shoulder the burden of proving the value of retention.

Robert Shipley, MCIP, RPP, is director of the Heritage Resources Centre and associate professor in the School of Planning, University of Waterloo. Shipley is recognized as a leading international expert in the area of culture, heritage and tourism, particularly in the economics of heritage development. He is a founding member and former VP of the Canadian Association of Heritage Professionals from whom he received the Award of Merit in 2006. Shipley is also Associate Editor of the journal Planning Practice and Research and a Project Evaluator for the European Science Council.

Footnotes

- ¹ Convention Concerning the Protection of the World Cultural and Natural Heritage Convention Concerning the Protection of the World Cultural and Natural Heritage <http://whc.unesco.org/en/conventiontext/>. Accessed Nov 15, 2014.
- ² Provincial Policy Statement <http://www.mah.gov.on.ca/Page10679.aspx>. Accessed Nov 15, 2014.
- ³ Lawrence v. Ottawa, issued Nov. 18, 2014; OMB Case # PL140212
- ⁴ Tremblay et al. v. The Corporation of the Town of Lakeshore et al., [2003] O.J. No. 4292 (O.S.C.J.) (see also decision to stay demolition until the application had been heard and decided, [2002] O.T.C. 895)
- ⁵ Lincoln Institute president George W. McCarthy writing in the November 2014 issue of Land Lines and Shipley, R., Utz, S. and Parsons, M. Does Adaptive Reuse Pay: A Study of the Business of Heritage Development in Ontario, Canada. *The International Journal of Heritage Studies* 12(6): 505-520, 2006.

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New heritage is important too

By Christy Chrus

There are many ways to celebrate, promote and protect the history and heritage of a community. In some cases, newer communities like the Town of Ajax, which was officially established in 1955 but has its roots based in the World War II era, contain cultural heritage that is equally as important as that in communities established 200 years ago. Not all heritage preservation has to be over 100 years old to be considered significant. There are some great examples of how Ajax has supported, commemorated and preserved the relatively new heritage within its community.

History of Ajax

In 1941, the Canadian government expropriated 2,800 acres of farmland comprising 18 properties in Pickering Township (later to become Ajax) to establish Defence Industries Limited, a munitions plant. Plant management was kept busy seeking staff for the plant and recruiters were sent across the country to hire workers, many of whom were women, later to be nicknamed “Bomb Girls” based on the recent Global hit television series.

As the work force grew, the post office in Pickering Village could not keep up with the mail overload so a new post office was built within the plant and a naming competition was held. The name Ajax was chosen in honour of the HMS Ajax, one of three British battle cruisers, which defeated the German pocket battleship, the Graf von Spee, at the Battle of River Plate in December 1939.

After the plant was shut down, residents petitioned the government to allow them to remain in the wartime homes, erected to house plant staff. The successful request set the



Christy Chrus

foundation for the future Town of Ajax, which gained official status January 1, 1955.

Commemorating Ajax’s heritage

There have been many initiatives over the years to preserve and celebrate Ajax’s rich history associated with DIL. Some examples are showcased below.

Street naming / tree dedication—Ajax is the only town in the world named after a Royal Navy warship and is proud to preserve its heritage by assigning street names in honour of those who served on the HMS Ajax, and the other two British battle cruisers, HMS Achilles and HMS Exeter, since it became a community. Today there are more than 600 streets named in honour of these veterans. In addition, when a visiting veteran or his/her family members come to Ajax, the town commemorates the visit with a tree dedication ceremony.

Heritage designation of 33 Roosevelt Avenue—Ajax designated 33 Roosevelt Avenue under *Part IV* of the *Ontario Heritage Act* in 2009. This building is one of three apartments owned by Canada Mortgage and Housing Corporation, which was constructed in 1941 to house the supervisors of Defence Industries Limited. Along with five managers’ houses in the same vicinity, this grouping of buildings forms an integral part of Ajax’s history.

“Bomb Girls” viewing party—With the success of the Global television series “Bomb Girls,” loosely based on life at Defence Industries Limited, Ajax hosted a season 1 finale viewing party in 2012. The event was a huge success and brought further recognition to the town’s cultural heritage.

Defence Industries Limited walking tour—In September 2014, Ajax hosted its 3rd bi-annual Doors Open event and members of the Ajax Heritage Advisory Committee organized a walking tour centred on life at the plant during the early 1940s. Although many of the buildings no longer exist, the tour highlighted interesting aspects of the plant and its different types of housing including 21 women’s dormitories, 15 men’s dormitories, supervisors / manager’s houses and the 600 wartime homes.

Conclusion

Ajax is a relatively new community and its cultural heritage is well documented, the majority dating from the early 1940s. To this day, and especially after the airing of “Bomb Girls,” the town continues to receive documents, artifacts and photographs from people all over the world, excited to share the hidden treasures that have been left behind.

Christy Chrus, MCIP, RPP, is a senior planner at the Town of Ajax specializing in heritage matters. She can be reached at christy.chrus@ajax.ca or 905-619-2529 ext. 3200.



The “Bomb Girls Viewing Party” archival display showing items from the DIL era



Up in flames

By Leah Wallace

Just before midnight on October 7 one of the older and more significant buildings on Queen Street in the Queen-Picton Heritage Conservation District of Niagara-on-the-Lake burned to the ground. It was the third such building on Queen Street to be destroyed in the past five years. The Fire Marshall and Chief Building Official condemned the building and what was left of its post-and-beam structure and wooden shell was demolished several days later.

So what does a heritage planner do in this situation? Throw up her hands and curse the heritage gods or help the owner through the process of constructing a replacement, one that isn't necessarily a reproduction of the lost building, but which maintains and enhances the character of the district?

Aside from the usual issues related to reconstructing a building, such as zoning, site plan and building permit approvals, there is a defined process under the *Ontario Heritage Act* for approval and issuance of a heritage permit for any new structure proposed for the site of a demolished structure. To begin, a decision needs to be made between which of the two philosophical approaches are going to be followed in designing a replacement. The options are, either build a replica of the building that was destroyed or replace the building with a complementary design that is compatible in mass, scale and height with adjacent properties and reflects or enhances the character-defining elements of the district.

Although the *Standards and Guidelines for the Conservation of Historic Places in Canada* does not directly address the total loss of a significant heritage resource, it does address the issue of new additions and "new work that is physically and visually

compatible with, subordinate to, and distinguishable from the historic place. An appropriate balance must be struck between mere imitation of the existing form and pointed contrast, thus complementing the historic place in a manner that respects its heritage value.²¹

In Niagara-on-the-Lake there is no presumption that a designated building lost to fire or some other catastrophic event must be reproduced. In fact, reproduction of lost buildings is not encouraged because historically accurate building materials may be difficult to find and requirements for accessibility, health and safety, and fire and building codes sometime make it impossible to use historically accurate materials and construction systems. From a planning perspective, the town's zoning by-law merely addresses the reconstruction, renovation, repair or restoration of a designated building or structure under *Part IV* or *Part V* of the *Ontario Heritage Act* in the case of a non-conforming or a non-complying use. However, site plan agreements, parking provisions and other regulations under the *Planning Act* may apply to a replacement building, particularly in a commercial area.

When faced with the need to replace a building lost to fire, the owner is obliged to apply for a heritage permit for the proposed replacement. The process usually entails several meetings with the Municipal Heritage Committee to submit and refine plans and elevations for the new structure. These meetings are a form of negotiation between the owner and the committee with planning and building staff providing professional advice throughout the process. When the committee is satisfied that the proposed design is compatible with the character of the district and adjacent buildings, building permit ready drawings are prepared and the committee recommends approval of the heritage permit to council. A copy of the permit is provided to the Chief



Leah Wallace



Before . . .



. . . After

IMAGES COURTESY OF THE AUTHOR

Building Official and planning staff ensures that the drawings submitted to the building staff are the same as those approved by council. Construction is monitored by both planning and building staff.

Despite the fact that replacement of a lost building with an identical or similar structure is not required, or even encouraged, most property owners choose to design structures that are similar to the ones that have been destroyed. They and their neighbours seem to feel more comfortable with traditional designs rather than designs which complement the existing streetscape character in terms of mass, scale, height and materials; but which stylistically reflect contemporary architectural styles. These types of structures are often more challenging to produce and require the expertise of a knowledgeable architect or designer. Consequently, there is a danger that, through attrition, a district could consist of pseudo-historic structures and could gradually lose its authenticity. Development and change over time and the introduction of various building styles popular at the time that each building was constructed is one of the character defining elements of most districts. The introduction of new buildings that are unique to their time and place is a natural progression, particularly if structures are lost as a result of catastrophic events.

Whichever approach a municipality chooses, the loss of an important heritage resource is always to be regretted. The replacement should complement and enhance the character of the district, exhibit good design and use quality materials that are compatible with other buildings and structures in the heritage conservation district.

Leah Wallace, MCIP, RPP, was heritage planner at the Town of Niagara-on-the-Lake for 13 years. In 2004-2005 she was a member of the municipal sector focus group on changes to the Ontario Heritage Act. She is currently the senior planner responsible for the town's official plan program.

Footnote

¹ Standards and Guidelines for the Conservation of Historic Places in Canada, Second Edition, 2010.

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Maintaining perspective

By Kate Hagerman

In the late 1990s, American scholars [Thomas Yahner](#) and [Daniel Nadenicek](#) observed that “In many places new development completely replaces the old and erases the opportunity for the community to retain an integrity and richness that only places containing a layering of old and new can have.” Communities that have developed organically over longer periods of time have an advantage. They typically have a wealth of physical cultural assets that distinguish their community from any other and can foster a distinctive local cultural heritage. Waterloo Region both reflects and incorporates an enhanced sense of place as a key element of community building.

Gaining perspective

As planners and members of the public, we inherently understand the value of these culturally rich places. We are drawn to physical spaces that have character and texture, such as the scenic route to work, the eclectic neighbourhood, the vibrant community core, or the alluring travel destination. These valued locations are not frozen in time; rather they are complex and changing cultural ecosystems that are strategically managed with the aim of sustained cultural and economic vitality. The Canadian Institute of Planners Great Places in Canada program acknowledges some of the many places in our country that have found a successful mix of complementary and evolving community assets: new and old, public and private, temporary and permanent, distinctive and familiar.

It has long been recognized that the conservation of cultural heritage resources can be a key contributor to successful local economic and community development. As explained by Malaysian Professor Norsidah Ujang, communities benefit from and should be embracing change that adds to, not blurs, the distinction of place.

In 2012, the World Bank published *The Economics of Uniqueness*, a series of studies that show how embracing regeneration of communities and adaptive reuse of their assets can pay off in many ways for rapidly expanding cities and their populations. The book presents the most current knowledge on how cultural heritage assets can serve as drivers of local economic development, and discusses a variety of tools and approaches that can be used to manage change.



Bridgeport Bridge plaque unveiling

IMAGE COURTESY OF ENERMODAL ENGINEERING (2010)

Ontario is part of this global movement. Municipalities across the province are working to understand and conserve the cultural heritage assets that support community building efforts in their locale. The updated *Provincial Policy Statement* (2014) continues to direct municipalities to conserve significant cultural heritage resources, and now goes further to encourage municipalities to take the additional step of developing a Cultural Plan. The *Ontario Heritage Act* and the *Planning Act* provide a policy basis for planners to designate significant cultural heritage resources, build and maintain a Municipal Register of Heritage Resources, develop conservation policies, review development and heritage permit applications, and integrate cultural heritage conservation into the strategic community and economic development process.



Kate Hagerman

The Waterloo Region experience

The Region of Waterloo, an upper-tier municipality formed in 1973, recognized early on that supporting the conservation of local heritage was a means of preserving the community identity feared to be lost through amalgamation. Initially the region played a fairly traditional role, funding heritage projects and interpreting local history. By the mid-1990s, the region was challenged to figure out how to play a broader role in cultural heritage planning that complements and augments what was being accomplished by the area municipalities through their conservation work.

In 1994, the region established a Heritage Planning Advisory Committee, which has helped to guide the region’s involvement in cultural heritage planning. The focus of the committee is on supporting area municipal initiatives, being proactive, collaborating across sectors and cultivating community support. The region’s undertakings can be divided into four categories.

Advising on regional heritage matters—The region’s official plan includes cultural heritage policies addressing the conservation of cultural heritage resources of regional interest. These include resources that are of regional significance, owned by the region or impacted by a regional undertaking.

Waterloo Region is developing an Implementation Guideline for Conserving Regionally Significant Cultural Heritage Resources. This will be supported by a council adopted list of resources for which the region will share conservation responsibilities in collaboration with its area municipalities. It has developed a Scenic Roads and Special Character Streets Resource Document for regional staff to use in conjunction with the Context Sensitive Regional Transportation Corridor Design Guidelines. This allows for full consideration of potential impacts to cultural heritage resources from the onset of the project.

Assisting with the development and implementation of heritage policy—Waterloo Region was one of the first municipalities in

Ontario to develop an Archaeological Master Plan (1989), and has since digitized the Archaeological Potential Model. The model is used in determining the need for archaeological assessments on proposed developments.

More recently, the Region of Waterloo has developed an Implementation Guideline for the Conservation of Cultural Heritage Landscapes, which provides detailed guidance and tools to assist area municipalities in conserving cultural heritage landscapes throughout the region.

Commenting on proposed policies, plans, programs and legislation—Waterloo Region reviews and provides comments on proposed policies, plans, programs and legislation at the area municipal and senior government level. Working collaboratively across municipal sectors provides opportunities for win-win projects that support multiple municipal priorities.

Working to increase public awareness and understanding of heritage resource conservation—The Waterloo Region Museum, the largest community museum in Ontario, opened in 2010 to interpret and celebrate our local history. This facility complements and connects the wide variety of cultural heritage resources throughout the region.

Waterloo Region has carried out several focused region-wide research projects. For example, Spanning the Generations: A Study of Old Bridges in Waterloo Region was initiated in 2002 and a watershed-wide bridge inventory project, Arch, Truss & Beam, was completed by the Heritage Resources Centre in partnership with the Grand River Conservation Authority in 2013. Currently, the region has begun an inventory of purpose-built public buildings—schools, libraries, hospitals, recreational facilities, municipal offices and public infrastructure sites—which will soon be available online. Like bridges, the majority of these structures continue to be in

public ownership and have played an iconic and functional role in the development of our communities.

Waterloo Region also partners with local heritage organizations and post-secondary institutions to offer information and educational workshops on a range of heritage topics. An online Heritage Conservation Toolkit for owners of heritage properties is available and is evolving to include information from a variety of sources on building maintenance and improvements.

The region's efforts to support cultural heritage planning have not gone unnoticed. In 2012, the Region of Waterloo was honoured as the first regional municipality to receive the Ontario Heritage Trust's Lieutenant Governor's Ontario Heritage Award for Community Leadership.

Regional staff works collaboratively with staff of area municipalities and other sectors to find an appropriate balance between conservation and change. A balance that is supported by incentives and regulation and that is accomplished in partnership with the broader public and private sectors.

Although the region's role is not typical compared to many municipal undertakings, the work Waterloo Region has been doing has had a considerable impact, fits well with its regional mandate, and may be of interest to others who are looking for new projects and/or approaches to cultural heritage planning. For further information, visit www.regionofwaterloo.ca/heritage.

Kate Hagerman, MCIP, RPP is the Region of Waterloo's cultural heritage specialist and has spent the last 10 years working on developing and refining the Waterloo Region's role in cultural heritage planning. Kate seeks opportunities to work collaboratively and across traditional project boundaries to further accomplish shared municipal objectives.



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Inventorizing our history

By Kayla Jonas Galvin

The 2005 iteration of the *Ontario Heritage Act* enables municipalities to create a list of properties of cultural heritage value or interest. Often referred to as Municipal Heritage Registers, these lists have given municipalities a formal tool for the strategic management of heritage resources. They are often seen as the first step in conserving local properties of value. Although Municipal Heritage Registers are useful documents, their creation can have many challenges.

What is a Municipal Heritage Register?

A Municipal Heritage Register includes properties that are formally recognized and protected under *Part IV* (individual designation) and *Part V* (district designation) of the *Ontario Heritage Act*. In addition, municipalities can record listed properties that council deems to be of cultural heritage value or interest. Listed properties are afforded some protection through a 60-day notice required for demolition or removal of a building. This is significantly more time than is given for a standard 10-day demolition application review period under the *Ontario Building Code*.

Municipal Heritage Registers are used for two purposes: education and administration. While the legislated requirements are minimal, if a property is listed on the register it indicates clear expectations about conservation. This ensures that properties of value are integrated into projects at the onset.

Processes vary

Municipalities have used a variety of approaches to form registers. Grimsby planning director Michael Seaman, who has also worked on Municipal Heritage Registers in Oakville and Aurora, has used several different processes. In Aurora, after the loss of a heritage resource, the municipality converted the

entire inventory to a register by council resolution. Today, both the committee and staff compile information for potential addition to the register. In Grimsby, the Municipal Heritage Committee initially researched the inventory and recommended properties for inclusion in the register. Now staff researches properties to add to the register.

Hamilton cultural heritage planner Alissa Golden has also worked on the development of a number of Municipal Heritage Registers—Burlington, Kitchener and Hamilton—with varied approaches. Kitchener has a council-approved four-step process that starts with a survey review team drawn from its heritage committee, which completes a standard form and takes photographs. This material is then assessed by committee members and staff to determine whether the properties should be short-listed as candidates for the register. Staff then prepares a Statement of Significance for each short-listed property, which are provided to the property owner. These recommendations go to the full committee to review then merits of the property and hear any comments from the property owner. The committee then makes a formal recommendation to council for a final decision as to whether to list the property on the register.

The City of Hamilton has a large inventory of over 7,000 properties. Beginning with the downtown area, fieldwork and updated surveys were completed by staff for over 1,000 properties. The framework for evaluation, further public consultation and a finalized list were completed by an outside consultant in consultation with city staff. As a result council approved the initial inclusion of over 600 properties in the register. Currently, when there is a request for designation, the property undergoes a preliminary evaluation using *Ontario Regulation 9/06* criteria to determine whether it should be added to the register.

In Halton Hills, inventories were prepared by the heritage committee and prioritized in phases of about 200 properties. The University of Waterloo's Heritage Resources Centre was engaged to review the material and evaluate it against the criteria listed in *Ontario Regulation 9/06*.

Consultation

Unlike designation under *Part IV* or *Part V* of the *Ontario Heritage Act*, there are no requirements to notify property owners if their property is listed on the Municipal Heritage Register. The act simply states that for listing on a register, council shall consult with the local heritage committee before adding or removing a property from the register (*section 27 (1.3)*). However, most municipalities notify the owner when a



Kayla Jonas Galvin



Baldwin's Mill, Aurora Municipal Heritage Register

IMAGE COURTESY OF THE AUTHOR

HERITAGE REGISTER	Non-Heritage Property	Listed Cultural Heritage Properties (Heritage Register)	Designated Heritage Property (Town By-law)
Legislation	Building Code Act	Ontario Heritage Act (OHA) Sections 27 (Part IV) and 39.2 (Part V) Building Code Act	Ontario Heritage Act Sections 29 (Part IV) and 41 (Part V) Building Code Act
Requirement for Heritage Permit	No	No	Yes Permits required for alterations to property designated under Parts IV and V of the OHA – Sections 33 and 42
Information Required for Heritage Register	N/A	Property Description required under Act <i>Town prepares Information Sheet containing photograph, historical information, and property evaluation</i>	<ul style="list-style-type: none"> • Property Legal Description • Ownership • Statement of Cultural Heritage Value or Interest • Description of Heritage Attributes
Criteria for determining cultural heritage value or interest	N/A	None required under Act <i>Town uses Council approved evaluation criteria based on Ontario Regulation 9/06 as template for property evaluation</i>	Criteria prescribed by Ontario Regulation 9/06 under Section 29(1) of the OHA
Demolition Permit Application	Town must issue permit within 10 days pursuant to the Building Code Act regulations; Town can issue Notice of Intent to Designate (Section 29(3) of the OHA) and render any building permits issued void – Section 30(1) of the OHA; the Notice of Intent to Designate can be appealed to the Ontario Municipal Board	Delay Town must be provided with 60 days notice of intent to demolish, providing time for consideration of options with respect to heritage conservation (e.g., designation) – Section 27.3 of the OHA	Refusal (with right of appeal) Town can refuse to issue permit to demolish and this decision can be appealed to the Ontario Municipal Board – Section 34 of the OHA
Registration	N/A	No Registration on Title	Designation By-law Registered on Title

CHART COURTESY OF TOWN OF HALTON HILLS

Chart shows the difference between a non-recognized property, a listed property and a designated property

property is being considered for inclusion in the register, although some notify the owner after the property has been included in the register to avoid a rush to demolish. In the latter case an appeal process is instituted.

Hamilton incorporated an extensive public consultation process for its Downtown Built Heritage Inventory. Open houses were held for the general public and property owners. Halton Hills provided notices in the newspaper and on the town website at the start of each phase as well as written notification to all property owners whose properties were proposed to be added to the register.

Challenges

The most common challenge encountered when adding properties to a register is resistance from property owners. Many people do not want any restrictions placed on their homes. This is compounded by misinformation about the different levels of protection and their implications. In order to overcome this, Halton Hills produced a chart that outlines the difference between “listing” and “designation.”

Despite best efforts, many people want their properties removed from the register. Both Halton Hills and Grimsby take the approach that if the property owner can provide new information on which to base a reassessment of the potential heritage value of the property, consideration will be given to recommending that it be excluded from the register when council makes its decision.

The ambiguity of the implications of being listed on the register is also felt by planners. In the absence of clear processes and direction in the act, Hamilton, for example, is in the process of developing a formalized process. It is undertaking a review of best practices to develop a standardized procedure and framework for addressing requests to include new properties and for providing notice of intention to demolish or remove a structure included in the register.

Registers themselves are not static. As time passes, new buildings can be considered heritage, and new types of heritage resources can be recognized so a register is a constant work in progress.

Ultimately, having a Municipal Heritage Register is a positive step forward. Though each municipality approaches their register in a different way, they are invaluable tools for the conservation of local heritage resources.

Kayla Jonas Galvin is the heritage operations manager at Archaeological Research Associates Ltd. (ARA), a heritage and archaeology consulting firm based in Kitchener. Kayla has worked on Municipal Heritage Registers in the Town of Halton Hills and the City of Burlington. Kayla is currently pursuing her Masters in Urban Planning. You can reach her at kjgalvin@arch-research.com. Thank you to Alissa Golden, MCIP, RPP, Michael Seaman, MCIP, RPP, and Steve Burke, MCIP, RPP, for sharing their insights and experience.



Owen Sound

Big commitment to heritage

By Sandra Parks

For a small city, Owen Sound has made a big commitment to heritage. It's part of what makes us unique and enhances our quality of life and sense of place. We value these places, spaces and stories today and want to build on to them for the future.

In 2013, this commitment was recognized by Heritage Canada, who awarded Owen Sound the Prince of Wales Prize for Municipal Heritage Leadership. Presented annually to a municipality that has demonstrated a strong and sustained commitment to the conservation of its historic places, the prize recognizes and celebrates a sustained record of supporting heritage conservation. We're in good company—previous Ontario winners include Peterborough, Oakville, Aurora, Perth and Markham.

With a population of 22,000, Owen Sound is the largest urban community in Grey and Bruce counties. It is the seat of County government, and many regional, provincial and federal government offices are located here.

Nicknamed the Scenic City, Owen Sound is located on the southern shores of Georgian Bay in a valley below the sheer rock cliffs of the Niagara Escarpment. The city is characterized by a magnificent harbour and bay, two winding rivers, tree-lined streets filled with heritage homes, an extensive parks system, a wide variety of flora and fauna, and tree-covered hillsides and ravines.

The historic downtown, reminiscent of the early 1900s, sustains an economy that is balanced and diversified. Heritage Place Shopping Centre on the east side complements the



Sandra Parks

vibrant, scenic downtown core and arterial shopping areas.

Owen Sound's heritage policies are integrated across its various plans. Its heritage conservation initiatives include a Municipal Heritage Advisory Committee, Heritage Planning Coordinator, Heritage Register with 150 properties to date and 31 designated properties, Heritage Permits, a Façade & Structural Improvement Program, Heritage Property Tax Relief Program, Heritage Conservation & Maintenance Agreements, interpretive plaques, murals and banners, Walking Tours, workshops, annual events and [website](#).

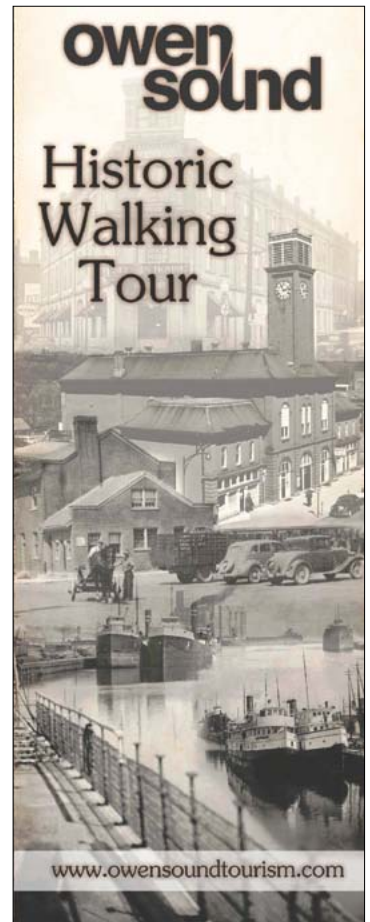
The city also owns and maintains a number of buildings of cultural heritage significance, many of which have become successful adaptive re-use projects.

When new construction has been proposed in historic areas, on several occasions, the city has required that developers provide Architectural Control Guidelines to ensure the proposed new residential developments complement and do not negatively impact existing heritage properties.

Like most communities, Owen Sound has had its share of challenges, from requests by heritage property owners to install new vinyl windows and demolish old buildings, to fires and general neglect. We have used a combination of tactics to combat these, including promotion, celebration, making processes easier and offering financial incentives. One of the big successes in Owen Sound is the practice of working together across various city divisions.

That big commitment to heritage has paid off for Owen Sound. It's helped make us a tourist destination, a place where people want to raise families and retire, and it has helped preserve our unique history for generations to come.

Sandra Parks is a heritage planning coordinator for the City of Owen Sound and former volunteer member of the Southampton LACAC. Sandra has been active in the heritage field for more than 30 years.



IMAGES COURTESY OF THE CITY OF OWEN SOUND

Interpretive banners have been installed on downtown streets focusing on themes such as 'Historic Owen Sound' and 'Local Heroes'



Kingston

Sir John A. would be proud

By Ryan Leary

The City of Kingston: Where History and Innovation Thrive. The municipality’s motto evokes an image of a place successful in marrying heritage with modern day preferences and technology. This image is in direct contravention of the common misconception that heritage designation means nothing on the building can be touched. City staff and the owner of the Ford Block (165 Wellington) and the Anglin and Collar buildings (167 and 169 Wellington) demonstrate how a large intensification and heritage-sympathetic development can succeed.

Innovative reuse

Renamed in 1842 from Quarry/Grass Street, Wellington Street has always been an important north-south thoroughfare in downtown Kingston. At the north-east corner of Wellington and Brock streets stands the Ford Block, a four-storey Second Empire style mixed-use heritage building. Built in 1876 and designed by well-known local architects John and Joseph Power, the building is striking with its mansard roof, rounded dormers, bracketed cornice and detailed window labels on the second and third floors. Originally the ground floor had tall glass windows with Corinthian columns on both frontages. It was altered in the 1890s and again in the 1960s when various banks occupied the ground floor. The third floor was built for the Minden Lodge (Masonic Hall) with 17-foot ceilings. Formerly a tall decorative tower roof was located at the corner, but it was removed in the 1940s.



Ryan Leary

This corner is now being innovatively renovated to optimize its use and emphasise its attractive heritage attributes. In 2013, the current owner (BPE Development) got approval from the city to renovate the interior of the building, including the construction of an additional floor and another floor above the mansard roof with rooftop amenity space. The owner is also proposing to retain and repair all of the windows, restore the window labels and reconstruct the tower roof feature at the corner in a design that replicates the former tower, based on historic photographs.

While this in itself is a success story for heritage conservation, it does not end there. In 2014, BPE Development purchased 167 (the Anglin building) and 169 (the Collar building) Wellington Street, located immediately adjacent to 165. The Anglin building is a narrow (12ft. 3in.) four-storey building, built in the late 19th century, likely at the same time or slightly after the larger Ford Block building, with which it shares a wall.

The Collar building is estimated to be built in 1834, with its first tenant being John A. Macdonald, who opened his first law office here in 1835. On behalf of the owner, and as supporting information for the development, a local heritage consulting team reviewed the history of the building. It came to the conclusion that, as a result of significant renovations in 1878, the 1834 building had likely been a two-storey structure with a gabled roof and two small dormers and that this structure was, for all intents and purposes, lost. Given it was thought to have been so severely altered that it contained little remaining heritage value and it was in such poor condition, it was proposed to be demolished and a new structure constructed in its place. This new building would then be incorporated with the Anglin



165 Wellington Street (Ford Block) in the 1880s



Conceptual rendering of completed project

IMAGE COURTESY OF LIBRARY & ARCHIVES CANADA PA-103120

IMAGE COURTESY OF SHOATS AND ZABACK ARCHITECTS LTD.

building and the adjacent approved development at 165 Wellington.

Seeking to confirm this conclusion, city staff and the Heritage Committee hired Heritage Consultant Andre Scheinman to review the building. By this time, much of the interior had been removed as part of the renovation plans offering an opportunity to see the underlying structure that the owner's consultants had not seen at the time of their review. Evidence was found that portions of the 1834 Collar building still remained, such as the second floor brickwork and northern party wall. The city's heritage consultant also re-evaluated the cultural heritage value of the properties and determined that the 1878 Collar building and adjacent Anglin building had cultural heritage value of their own.

With this new information, the owner and his consulting team, led by Shoalts and Zaback Architects Ltd., re-evaluated their plans and returned with a design concept that included the retention of the front second floor brickwork (the three original bays), the northern party wall and portions of the southern passageway wall, which were thought to be from the original 1834 building. The third floor mansard roof and dormers were in such disrepair that they needed to be rebuilt in their entirety, but the owner agreed to incorporate these recreated features into the new building to help maintain its 1878 character. In keeping with the building's 1870s character, the owner further agreed to restore the ground floor façade based on a turn of century photograph of the building. The new store front will include wooden columns on a limestone base, framing large glass windows and a wood and glass door with transom.

In addition, and in order to maintain the heritage character of the streetscape, the owner agreed to retain the brick archway over the passageway and the entire front façade of the Anglin building, including new period-appropriate windows and repairs to the cast-iron window labels.

In exchange, the owner was granted approval under the *Heritage Act* to construct an additional three storeys (and rooftop amenity space) on top of the reconstructed mansard roof of 169 and onto 167 Wellington Street, which will tie the entire development into the one previously approved at 165 Wellington Street. Construction is underway with much of the exterior repairs at the Ford Block building already completed.

While a perception that heritage designation will somehow stifle development may persist, the success of the Wellington Street development in Kingston serves as a reminder that an open-minded owner, a creative architect and a municipality with an understanding of the role its built heritage plays with respect to its identity and prosperity, can enable innovation and history to thrive together.

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Kingston, a brief history

THE CITY OF KINGSTON is well known for its cultural heritage resources and its part in Canadian history: first, as an early First Nation meeting place, known as Cataraqui, then as one of Ontario's earliest European settlements in the 17th century. It was settled by the French in 1673 then invaded and re-settled by the British in 1758. Named King's Town after King George III in 1787, the area was renamed Kingston a year later. Kingston was a place of new hope and safety for those loyal to the British crown during the American Revolution (1776-1783) and those fleeing Ireland during the Great Famine (1840s).

Kingston was the first capital of the United Canadas in 1841 (the capital was relocated in 1844). Kingston's most famous son (after Don Cherry, of course) was Sir John Alexander Macdonald who spent much of his youth and early years in business and politics in Kingston. Macdonald started his first law firm here in 1835, was a city councillor in 1843, represented Kingston in Parliament in 1844 and became Canada's first prime minister in 1867. He was also buried in Kingston in 1891 at the Cataraqui Cemetery (his burial plot has been a National Historic Site since 1938 and the Cemetery itself since 2011).

The City of Kingston is also home to a portion of a UNESCO World Heritage Site (the Rideau Canal and Kingston Fortifications), 28 National Historic Sites of Canada and 1,200 locally protected heritage properties. These resources play a key role in the city's identity, quality of life and its economic prosperity.

As an added bonus, the owner agreed to build a small niche within the passageway to be used for a commemorative tribute in honour of Sir John A. Macdonald's association with the building. While much has changed in Kingston since Macdonald's time, one would like to think he could still identify this building from the street. On the eve of his 200th birthday, it is hoped that he would be proud to see that the history and heritage character of the city that he loved is being maintained for generations to come.

Ryan Leary, MCIP, RPP, BES, is a senior planner with the City of Kingston's Planning and Development Department. His responsibilities include the administration and implementation of the city's cultural heritage conservation programs. He can be reached at rleary@cityofkingston.ca.

Endnotes

- McKendry, Jennifer. "Chronology of 167-169-171 Wellington Street, Kingston" Consultant's report for Bray Heritage, March 12, 2014.
- McKendry, Jennifer. "Chronology of Ford's Block 165 Wellington Street at Brock, Kingston" Consultant's report for Bray Heritage, as revised October 10, 2012.
- Scheinman, Andre. "Re: 169-171 Wellington Street, Kingston" Consultant's report for the City of Kingston, March 10, 2014.



Ottawa

Byward Market Heritage Conservation District

By Sally Cou tts

The Byward Market Heritage Conservation District, Ontario's first primarily commercial heritage conservation district, was designated in 1991. Since then, many vacant lots in the area have been developed according to the district's guidelines and it is now Ottawa's second most popular tourist destination after Parliament Hill. This article details the creation of the district and the challenges facing the Byward Market today as the city attempts to deal with the impact of the many new bars and nightclubs in the district and its loss of local food shops.



Sally Cou tts

Creating the Byward Market Heritage Conservation District

The heritage significance of the Byward Market was accepted as early as the 1960s and 1970s, when the National Capital Commission created the "Mile of History" along Sussex Drive. However, by the 1980s the market was facing a crisis. Between 1972 and 1988, 25 buildings had been demolished with another 11 lost in 1989. During this period, the city had identified the market as an area of interest and received provincial support for a heritage conservation district in 1981. In 1984, the city passed a by-law to study the market area and Lowertown as a first step in the process of creating two districts. In 1986, efforts to save the market were mobilized after a proposal for a 17-storey building that would shade the historic core of the area came to light. The "Save the Market" campaign was launched and finally, in 1989, Julian Smith and

Associates was hired to undertake a heritage conservation district study.

The Smith study set the standard for Ottawa's future heritage conservation districts. Each building in the study area was researched and scored, a general history of the area was written, maps depicting historic land uses were drawn and guidelines developed. The research revealed much about the history of the market area as the destination for new immigrants, a commercial centre where local farmers sold their goods and the location of the city's Irish and French Canadian populous for much of the 19th century.

Public meetings were held to explain the designation process and to obtain comments on boundaries and the contents of the final plan. Maps showing the changing ethnicity of building owners, and the history of building uses helped build an understanding of the area as a commercial district that had been changing and adapting since the early 19th century.

The public meetings and information exchange during the study period allayed the fears of many of those initially opposed to the creation of a heritage conservation district, and all objections to the proposed district were withdrawn at an Ontario Municipal Board hearing.

Since council approved the Smith study and passed the by-law, city heritage staff has used the council-approved guidelines when assessing new development in the area. Reflecting on the evolutionary and layered growth of the district, the guidelines stress that homogeneity of design for new buildings is not an objective, and while new construction must respect the scale, material and form of the district, it must be of its own time, "designed in a contemporary vernacular consistent with the traditions of the area."

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When the Byward Market Heritage Conservation District was created, there were many vacant lots being used for surface parking and these parcels became the site of infill development. By 2010, most of these lots had been developed according to the council approved guidelines.

Clarendon Lanes is a good example of a successful infill project developed since the creation of the Heritage conservation district. Constructed in 2001, it is five-storeys tall facing George and York streets and rises to seven storeys mid-block. Built on vacant land, a laneway, reminiscent of those found throughout the area in the 19th century, bounds the building on the west, connecting George and York streets. The building itself is typical of 19th and 20th century buildings in the area, featuring at-grade retail with residential above. Although clearly new, the building fits into the street, and its George Street façade complements the handsome stone building, Ottawa Wine Vault (now the Ottawa School of Art), to the east.

Current challenges

The guidelines are concise, simple and clearly outline the goals for the area, both for restoration and rehabilitation of existing buildings and the creation of new ones on vacant land. They also address the public realm to ensure that the pedestrian experience is taken into account when planning changes to the area. However, the guidelines did not anticipate the condo boom of the last decade and, although large-scale new developments have been largely avoided in the district, lands to the east zoned since the 1970s for high-density residential uses have been developed, creating a wall of high rises that some find objectionable. The question of how to



Clarendon Lanes, George Street

deal with “buffer” lands that are outside the district remains, and may be difficult to resolve, given that a large-scale, down-zoning of adjacent lands would be required to create a buffer of buildings with lower heights.

Further, over time the uses of the Byward Market have changed dramatically and new uses threaten to undermine the character of the market as a centre for local food and a place for local farmers to sell their produce. Ironically, part of the problem is the heightened interest in local food today, which has prompted the proliferation of markets around the city. With good local produce available at smaller markets throughout the city, many are reluctant to go to the market downtown and face traffic and parking problems. The improved quality of chain grocery stores has also meant that good local produce is more available to all. These circumstances have led to a decline of the market as a food destination.

Finally, another concern is the growth of the bar and club scene, which brings thousands of people downtown, particularly on the weekends. This has meant that crime has gone up, there is a garbage problem in the area, and there has been pressure to open more restaurants and bars. In response, the City of Ottawa engaged the Project for Public Spaces in 2012 to address the loss of food retailers and local businesses and to suggest measures that could improve city-owned buildings and the public realm. The city continues to work with Project for Public Space to solve some of the challenges facing the Byward Market.

Conclusion

The creation of the Byward Market Heritage Conservation District 25 years ago undoubtedly saved many buildings and encouraged appropriate and compatible design throughout the area. However, preservation and successful infill are only meaningful if the sense of place and character that prompted the designation are also preserved and enhanced. The city hopes to accomplish this in its ongoing work with the Project for Public Spaces and the local community.

Sally Coutts, MCIP, RPP, has been a heritage planner with the City of Ottawa since 1990. Before joining the city, she was an architectural historian in the Architectural History Branch of National Historic Sites and a heritage planner with the Historic Sites Service of Alberta Culture.

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The key to vitality

By Alison Faulknor and Jim Mountain

A downtown commercial district is the most visible indicator of a community's economic and social health. Its vitality and commercial success is an asset when recruiting new residents, enticing tourists and stimulating new investment, businesses and industries.

Ontario's main streets have enormous potential. They are places where you can meet your neighbours and shop an array of local stores. On main street, community members come together to find new and creative ways to celebrate both their history and diversity. It can be a place where creativity, entrepreneurship and innovation thrive. Providing a rich and textured backdrop are the historic buildings that line our main streets and contribute to the authenticity of place.

Times have changed since Main Street Canada® was first launched in 1979, yet small communities across Canada still face pressing challenges including depopulation, loss of industry, competition with big box stores and downtown business retention.

Turning around the trend of decline requires continued and strategic action, and significant investments of human and financial capital. As Queen's University's School of Urban and Regional Planning director David Gordon stated in an August 2010 *Globe and Mail* article, "I believe making a main street from scratch or keeping a vibrant street in a small or medium-sized city is the most difficult task in city-making... The market forces that are arrayed against you are very difficult to deal with."

A methodology for action

The National Trust's trademarked Main Street methodology brings a comprehensive, knowledge-based and proven incremental but proactive approach to downtown renewal. First piloted in Perth Ontario in 1979, the Main Street methodology has gone on to positively impact hundreds of Canadian communities, including 18 in Ontario, and it has produced two longstanding province-wide programs in Alberta and Quebec.

The goal of the Main Street Canada program is simple, to unlock the potential of a community and enhance quality of life with an equal emphasis on the physical, economic, social and cultural health of the town. It is a comprehensive revitalization strategy that takes a bottom-up approach and puts local citizens in the driver's seat of their revitalization plans.

Main Street programs yield tangible results for downtowns that can be measured, including new visitors, increased sales for local businesses, job creation, capital investment in core commercial properties, volunteerism and new businesses. But, no less significant is the

increased sense of local pride that is generated from an increasingly vibrant downtown that comes from the positive engagement of community stakeholders.

How does Main Street work?

The National Trust's Main Street provides a framework and the tools a community needs to break down silos and weave separate threads together—including design, economic development, marketing and promotion and organizational development—treating a community as a system. Recognizing that downtown renewal is holistic in nature, activities and projects initiated by the Main Street project must simultaneously consider all these core pillars. It must strategically engage the arts, heritage and cultural communities, social, health and environmental organizations and the community's educational institutions.

The Main Street approach and the planning profession share mutual goals. It is about creating vibrant and healthy communities, places where people want to live, work and play. It can activate creative and incentive-oriented municipal planning tools and programs in a way that builds the long-term revitalization of the downtown core. A good case example is [London](#), Ontario's downtown incentive zone which has promoted direct investment in new construction and the refurbishment of older buildings, including the Upgrade to Building Code Loan Program and the Downtown Rehabilitation and Redevelopment Grant Program.

Cara Finn, general manager of the Business Help Centre for Middlesex County and the Main Street Middlesex Program, explains, "Main Street allowed our organization to help bridge the gaps between stakeholders, to bring a common effort to the revitalization of our small towns. Having a mechanism that helps to marry the voices of municipal planners, private investors, event promoters, small business owners and the community at large, is a priceless tool for a business development agency to have in its kit. It is a tool that has measurably rewarded our communities time and time again over the past decade of our involvement."

Alison Faulknor is the director of New Initiatives for Heritage Canada, The National Trust. She holds a Masters of Museum Studies from the University of Toronto and an Honours BA in Art History from McMaster University. [Jim Mountain](#) is the director of regeneration projects for Heritage Canada. Since 1998, he has been a sessional lecturer with Carleton University's Azrieli School of Architecture and Urbanism on the subjects of heritage conservation and urban and rural sustainability.



Alison Faulknor



Jim Mountain





The art of diplomacy

By Michael Seaman, contributing editor

Heritage conservation districts are one of the most important urban planning tools provided by the *Ontario Heritage Act*. They are effective in protecting neighbourhood character and in giving local residents a say in how their neighbourhood is shaped. However, Heritage Conservation Districts are also widely misunderstood by the planning profession, politicians and the public at large. As a result they are used much less widely and effectively than they could be. Across Ontario, for example, there are more than 300 Business Improvement Areas, many of them historical downtowns, but only 115 heritage conservation districts. There probably could and should be many more.



Michael Seaman

Part V of the *Ontario Heritage Act* gives municipalities the ability to designate heritage conservation districts. These are areas where cultural heritage value contributes to a sense of place that extends beyond individual buildings, structures and landscapes. They exist in rural and urban areas around the province.¹ District designation enables a municipal council to manage and guide future change in the district, through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character.

In Markham, for example, heritage districts have been critical in protecting local heritage and guiding new development to maintain the distinctive qualities of a particular area. The residents or property owners in heritage districts, for the most part, support them. With the direction provided by a district plan, this contributes to a well-planned community with property values that perform as strongly as or sometimes even better than the average neighbourhood in similar but non-designated areas.²

If they are so great, why are they often so controversial? Why do communities such as Southeast Aurora, the Kingsway and Queenston reject heritage conservation districts or simply avoid using this tool altogether? The answers in most cases are complex but often come down to misunderstandings among stakeholders and lack of widespread grass-roots support for the heritage conservation district concept.

Building community support

Building community support is key to establishing a successful heritage district. It doesn't necessarily start with talk of heritage conservation districts at all. Instead, by working with local historical societies and municipal heritage advisory committee, architectural and historical walking tours can be held, brochures produced and interpretive plaques mounted to tell community stories and build interest in the history and character of an area. It's important to involve the community in researching and telling those stories. If you can build up people's awareness and passion for the area that surrounds them you will keep their interest when talking about things such as heritage districts. This is the approach taken in Grimsby by the local heritage advisory committee as it explores the potential for a heritage conservation district with the community. Involvement of Grimsby Beach in the Doors Open festival has been a central component of this awareness building.

Communicating about the heritage conservation district is usually best started in a small group setting. Answering questions about what a district can do, what form it can take and dispelling myths needs to be done early and often. The successful Northeast Old Aurora Heritage Conservation District study began with a small question and answer meeting of interested residents. The meeting served to inspire, inform and address misconceptions. By the end of the meeting those in attendance were supportive of the concept and had agreed to engage their neighbours, sharing what they had learned. About a year later another meeting was held with a larger group of residents—same questions, same answers, same result. The most important information gained was an understanding that no two districts are alike—what one district may regulate, another may not. Everything depends on what the community wants, what its ultimate goal is. If a community wants flexibility in a certain area—such as regulation of paint colours—the plan can be designed to accommodate it.

Interest in the heritage district in Northeast Old Aurora led to the creation of a local residents association. To foster discussion, the association assigned block captains to every street to be the point of contact about the heritage conservation district initiative. Formal and informal meetings were held by the community, in the community. House by house, property by property people came on board. Within a year the president of the local residents association was able to make a presentation to council stating with authority that the community was in support of the heritage conservation district concept. If council chose to invest in the establishment of a heritage conservation district it would be supported. And council did just that.

The study began in the fall of 2005. Community support remained strong, but as the study progressed it was clear that not all were unanimous in their support. Perhaps it was a general mistrust in government regulation, it was not clear, but there was a group who had concerns. It came to a head at a district meeting

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when one resident asked something to the effect of “If all the people on my street are opposed to the district would we be included?” The reply, “It would certainly help make a compelling case not to include the street.” Sure enough a few days later a petition was received from all the residents on a single street asking to be removed from the study. The study advisory committee took quick action and the street would not be included in the final district. In this way opposition to the district was contained and the study carried on. In the end, the district was approved, and the residents applauded council’s decision.

The lesson to be learned is to engage opponents early on. Find out what they are concerned about—are there modifications to the plan itself which could be made to satisfy their concerns, but which would not compromise the principle of good planning? Is it best to remove these properties from the district and try again another day? While it is always best to have a strong, clear, contiguous district, if having a district with weaker policies and a few holes in it is necessary to achieve consensus, then it’s better to achieve that and thus provide something to build on than to have no heritage conservation district at all.

In Aurora, the Northeast Old Aurora Heritage Conservation District has run virtually without an issue in the near decade since it was approved. If the district plan were reviewed at some point in the future, this knowledge might just convince those residents in the excluded area to join.

Heritage District Plans

There are other considerations to achieving a successful heritage conservation district. The Heritage District Plan, a required

element of a heritage conservation district is a key area of engagement with the community. The development and adoption of a district plan provides the community with an important tool for ensuring the integrity and sustainability of the area’s unique cultural resources and for managing the impacts of cultural tourism on the environment.³ The Heritage District Plan should be clear, illustrated—as is seen in the Unionville and Thornhill District Plans—and provide a clear rationale for policies, guidelines and objectives. It is important to always remember that district residents may not be up-to-date on conservation theory or styles of architecture. The ‘what’ and the ‘why’ need to be addressed so there is a shared understanding by all stakeholders of what the plan means and how to implement it.

Heritage District Plans, like any plan, need to be periodically reviewed to keep them current and responsive to local needs. Providing a timetable for review in the initial plan can give residents some assurance, when they commit to the initial district concept, that if some aspect of the district is not working, within a period of time, such as a decade, this may be corrected.

Incentives

Incentives are often overlooked when establishing a heritage conservation district, but they can help to achieve community support for the district concept. If a municipality is supportive of the establishment of a district in a special area of the community to achieve a strategic goal then it should be open to the idea of providing incentives in the form of heritage property grants or heritage property tax relief as a means of forging the partnership with a community. Property owners are making a commitment by



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being part of the district and an incentive, such as a matching grant, can demonstrate that the municipality is with them.

The maximum grant allocation offered by a municipality does not have to be immense. Making \$5-\$10,000 a year available in matching dollars per district towards restoration works, as a start, can really help build support and commitment, and it can build momentum for positive improvements in the district.

Municipal policy and by-law alignment

Alignment of the district with other municipal policies and by-laws is also important. District Plans take precedence over other municipal by-laws (OMB Decision PL060606 Feb 18, 2009).⁴ If a proposed heritage conservation district has the effect of bringing about a down-zoning of property, then there could be opposition from property owners. If this is the case it's vitally important to identify potential issues early on and meet with impacted property owners. This will allow for the exploring of real options for creating a win-win situation within the Heritage Conservation District.

Conclusion

Heritage Conservation Districts form an integral part of our cultural heritage. They contribute to an understanding and appreciation of the cultural identity of the local community, region, province or nation.⁵ Each district, however, is different and must inherently be a reflection of and driven by the community it encompasses.

There can be many minefields encountered when establishing heritage conservation districts, but by building genuine grassroots' support and engaging the public, myths can be dispelled and pitfalls avoided. By practicing flexible and effective diplomacy a positive, collaborative, community-supported heritage conservation district can be created to protect and guide change in the special historic areas of our communities.

Michael Seaman, MCIP, RPP, is director of planning for the Town of Grimsby. Previously, he was a manager of heritage planning with the Town of Oakville, and a senior heritage planner with the City of Markham and Town of Aurora. All three communities were winners of the Prince of Wales Prize for Municipal Heritage Leadership. Michael is contributing editor for heritage in the Ontario Planning Journal and from 2010 to 2012 served as Ontario Governor on the board of the Heritage Canada Foundation. He can be reached at mseaman@grimsby.ca.

Footnotes

- ¹ Ontario Ministry of Culture, Tool Kit Heritage Conservation Districts
- ² *Heritage Districts Work!* Heritage Conservation District Study Summary Report 2009, Heritage Resources Centre, University of Waterloo
- ³ Ontario Ministry of Culture, Tool Kit, Heritage Conservation Districts
- ⁴ *Heritage Districts Work!* Heritage Conservation District Study Summary Report 2009, Heritage Resources Centre, University of Waterloo
- ⁵ Ontario Ministry of Culture, Tool Kit Heritage Conservation Districts

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COMMUNITY DESIGN

A Changing of the Guard

By Eldon Theodore

I want to take this opportunity to introduce myself as the new chair of the Community Design Working Group (CDWG). I humbly take the reins from former chair Rob Voigt, who has successfully guided the group through a period of change and evolution. Under his leadership the working group played a key role in OPPI's most recent Call to Action, providing support for the development of healthy community design training materials for health practitioners, assisting in the development of materials for the *Accessibility for Ontarians with Disabilities Act* and rethinking how we undertake design charrettes at the OPPI symposiums and conferences. As Rob transitions to his new position as chair of the Planning Issues Strategy Group, his leadership of the CDWG is gratefully acknowledged.



Eldon Theodore

Moving forward, I hope to build on the great work that Rob and working group members have begun. The working group comprises a passionate team of volunteers committed to furthering design within all aspects of the planning profession.

The CDWG looks forward to providing critical input to OPPI, including the upcoming review of provincial plans, and bringing new ideas to future symposiums and conferences. Watch for future articles

in the *Ontario Planning Journal* from our CDWG members that will challenge traditional notions of design and highlight the important role it plays in our community building efforts.

Eldon Theodore, MCIP, RPP, MUDS, LEED AP, is a partner with MHBC specializing in urban design and sustainability. Eldon is chair of OPPI's Community Design Working Group and treasurer of the Congress for the New Urbanism's Ontario Chapter.

GUELPH AND YORK UNIVERSITIES

WTPD 2014

By Monika Rau and Rebecca McEvoy

October, in celebration of World Town Planning Day 2014, York University hosted Guelph University students for a fun-filled day in Toronto focused on Equality in the City. To aid in the celebration, 2014/15 OPPI Student Delegate Anthony Dionigi organized three educational events. These were made possible with the help of generous sponsors: BA Consulting Group and the MES York University Planning Alumni Committee, MYPAC.

The day began bright and early for University of Guelph students with a bus ride from Guelph to York University. The first session was an informative and spirited panel discussion on Public Transit and Equity in Toronto. The panellists included former Toronto mayor John Sewell, TTC chair and Ward 9 councillor Maria Augimeri, CAPS vice chair, TTC chair's chief of staff and MES planning candidate Matt Boscarior and TTCRiders outreach director Kamilla Patrick. Anthony explained that "the intent of the panel was to explore ways of accommodating non-drivers, especially those who depend on

transit the most in this city. Conversations about public transit are highly political and too often questions about equity are left out of the discussion." The panellists approached the topic from different perspectives and shared compelling ideas for the future of transit in Toronto.

Professional Standards Board executive director David Petrie outlined the process for becoming a Registered Professional Planner upon graduation. Students learned about the benefits of professional certification and the importance of professional ethics and pursuing the public interest. All those in attendance were interested in hearing about the importance of mentorship and sponsorship as a component of the certification process.

In the afternoon, students learned first-hand about the rewards and challenges of waterfront planning and redevelopment from Waterfront Toronto landscape architect Andrew Tenyenhuis. The revitalization of the Toronto waterfront is the largest urban redevelopment project underway in all of North America and is among the largest in the world. The day concluded with a guided walking tour along the waterfront to explore the projects that are currently underway.

World Town Planning Day 2014 afforded planning students at both institutions a wonderful opportunity to reflect on the dynamic nature of cities and the ways in which sound land use planning and public transportation can contribute to greater equity for all. A well-earned thank you goes out to the MES students at York University and the generous sponsors who made this year's event possible.

Monika Rau and Rebecca McEvoy are students in the Master of Science Rural Planning and Development program at Guelph. They are both student members of OPPI and are the student representatives for the University of Guelph on the OPPI Student Liaison Committee. Monika Rau can be contacted at mrrou@uoguelph.ca and Rebecca McEvoy at rmcevoy@uoguelph.ca.

A Journey Worth Taking

By Paul J. Stagl

One of the things I have always enjoyed about my chosen profession is the diversity it encompasses both at any given time and over a period of time. No two projects are ever really quite the same; there is always something new to learn and experience.

For example, I never imagined that during the course of my career, I would come to understand and use the terms 'tactical urbanism' or 'chair bombing, pop-up urbanity, urban informality, whiteboard videos, sandbox charette, digital divide' or 'new economy liberated workforce'. And, my most recent vocabulary acquisition and current favourite, 'reverse mentoring'. But together they offer a perfect description of the voyage that planning takes us on in our ever-changing profession.

As OPPI's District Leadership Teams roll out an expanded array of engaging topics and events for 2015, take the time to participate, network and enjoy the diversity of what our profession has to offer. Try



Paul Stagl

out the [Learning Path](#) tool featured in this edition of the *Journal* and found in the [Knowledge Centre](#) on OPPI's website. This tool allows members to effectively target CPL activities and make the most of their time, be it revisiting sessions from the 2014 Symposium on [OPPI's YouTube channel](#), participating in OPPI's [2015 Conference](#) or some other venue.

The bywords for CPL in 2015 are Economic and Finance, Political/Administrative Interface, Fundamentals of Community Design and Trends in Zoning. Explore them, share your findings and offer up a catch phrase reflecting the focus of professional learning in 2016. It is a journey well worth your time and effort.

OPPI CONTINUES TO WORK towards [Professional Regulation](#). View the Symposium [presentation on Professional Regulation](#) and read the [Policy Paper: The Case for the Province of Ontario to Regulate the Planning Profession](#).

PROFESSIONAL PRACTICE

Rules of engagement

Dear Dilemma,

The municipality in which I live has recently initiated a study for my area. As my neighbours know that I am a consulting land use planner, they have asked for my advice on the study and for me to respond to it on their behalf. As the study findings will affect my property, I will need to respond in any event.

To complicate matters, my firm has been approached by a long-standing client to provide planning advice on a development application and represent him/her for a property within walking distance of my home. I am concerned this may lead to conflicts between my neighbours and me, my firm and our client, or my neighbours and our client. Please help.

—*Troubled Waters*

Dear Troubled Waters,

You certainly have a lot to deal with in this situation, so let me break it down and respond to each issue separately.

First, you have every right to represent yourself by

responding to the study findings and any resulting political and planning process that may follow. You are advocating your interests and those of your neighbours. However, you need to keep in mind that since you have a personal interest you cannot represent yourself or your neighbours as a professional planner who can provide independent, unbiased opinions.

As a professional planner you must always abide by the *Professional Code of Conduct*, despite your personal interest. Specifically, you have to keep in mind that all members of OPPI have a primary responsibility to define and serve the interests of the public. While it may be expedient to use your skills and

LETTERS TO THE EDITOR Members are encouraged to send letters about content in the *Ontario Planning Journal* to the editor (editor@ontarioplanners.ca). Please direct comments or questions about Institute activities to the OPPI president at the OPPI office or by email to executivedirector@ontarioplanners.ca. Keep letters under 150 words. Letters may be edited for length and clarity.

knowledge to assist you and your neighbours, you should always keep in mind that by doing so your credibility, ethics and professionalism could be challenged now or at a later date.

My advice would be that you should retain the services of a professional planner who can present expert evidence on your behalf should you or your neighbours wish to pursue the matter more formally (i.e., at council or the Ontario Municipal Board). This way you can avoid a potential headache.

Second, you should avoid involvement on behalf of your neighbours and your firm's client. In this instance, as you have rightly said, conflicts between your neighbours and your firm's client could easily arise. It is basically a no-win situation if you become involved.

My advice would be to tell your firm and your neighbours that you cannot represent them or your firm's long-standing client. Your neighbours and your firm's principals should understand your situation and appreciate your candor. If they do raise issues, I suggest you disengage from the discussion as soon as possible to avoid further conflicts.

As your firm may still represent the client, to ensure a conflict does not arise, I would suggest that any discussions about the matter (even inadvertently) not occur in your presence and that your firm keep the files on this matter secured (both physically and digitally). Additionally your firm should provide a written disclosure on this matter to its client. This will clearly set out the "rules of engagement" to help to ensure that no potential conflict arises.

Professionally yours,

—Dilemma

Volunteer for OPPI

HAVE FUN, MAKE FRIENDS, build skills and give back! Volunteering is a great way to meet new people, strengthen ties to your community and broaden your support network.



OPPI is always looking for volunteers to participate on District Teams, program committees and strategy groups, all of which focus on implementing OPPI's strategic plan.

[Log in to your Member Profile](#) and click on Volunteer Opportunities to sign up.



CONTINUOUS PROFESSIONAL LEARNING

CPL Made Easy

Travel the learning path

By Ryan Des Roches

To help members focus on a proactive approach to [Continuous Professional Learning](#), OPPI has developed a new tool called the [Learning Path](#) that will assist you in developing learning goals and maintaining your [core competencies](#).

CPL is an essential component of your membership with OPPI and the Learning Path allows you to effectively target your CPL activities and make the most of your time. This is a key opportunity to consider the skills that you want or need to develop.

CPL exists to ensure that professional planners act in the best interest of the public as delineated in OPPI's [Professional Code of Practice](#). As planning theories, methods and techniques evolve over time, it is important to remain current with changes to the profession.

The [Learning Path](#) tool is accessible through OPPI's Knowledge Centre. Strengthen your knowledge and skills to advance as a professional throughout your career.

Ryan Des Roches is responsible for the development and implementation of the OPPI Learning Strategy. He oversees the development and delivery of learning programs that strategically advance the body of professional planning knowledge and support members in fulfilling their continuous professional learning requirements.



Ryan Des Roches

OPPI LEARNING PATH



Determine Knowledge and Skills

Needed to Maintain Proficiency and Advance Professionally

Identify Learning Needs

Based on Knowledge/Skills I Wish to Develop

Set Goals for the Year

To Satisfy My Learning Needs

Determine Competencies

Related to My Goals

Functional

Enabling

Consider CPL Activities

That Would Help Me to Achieve the Goals I Have Set

Organized & Structured

Independent & Self-Directed

Implement Learning Path

By Participating in CPL Opportunities Throughout the Year

Document CPL

By Reporting It in my Member Profile

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